

CITY OF SAN JOSÉ, CALIFORNIA  
Department of Planning, Building and Code Enforcement  
801 North First Street, Room 400  
San José, California 95110-1795

## STAFF REPORT

Hearing Date/Agenda Number

PC 5/12/04 Item:

CC 6/1/04 Item:

File Number

PDC03-087

Application Type

Planned Development Zoning

Council District

10

Planning Area

Almaden

Assessor's Parcel Number(s)

583-11-032; -011;-010;-009

### PROJECT DESCRIPTION

Completed by: DC

Location: Southwest corner of Old Almaden Road and Barnes Lane

Gross Acreage: 7.02

Net Acreage: 5.73

Net Density: 4.36

Existing Zoning: R-1-2 Residence District

Existing Use: 3 single-family detached residential units and a restaurant use

Proposed Zoning: A(PD) Planned Development Zoning

Proposed Use: 25 single-family detached residential units

### GENERAL PLAN

Completed by: DC

Land Use/Transportation Diagram Designation

Low Density Residential

Project Conformance:

☒ Yes ☐ No

☐ See Analysis and Recommendations

### SURROUNDING LAND USES AND ZONING

Completed by: DC

North: Single-family detached residential

R-1-5 Residence

East: Single-family detached residential

R-1-2(PD) Residence

South: Single-family detached residential

R-1-2 Residence

West: Single-family detached residential

R-1-2(PD) Residence

### ENVIRONMENTAL STATUS

Completed by: DC

☐ Environmental Impact Report found complete

☒ Negative Declaration circulated on April 21, 2004

☐ Negative Declaration adopted on

☐ Exempt

☐ Environmental Review Incomplete

### FILE HISTORY

Completed by: DC

Annexation Title: Ryder No.48

Date: 08/20/1984

### PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☒ Approval

☐ Approval with Conditions

☐ Denial

☐ Uphold Director's Decision

Date:

Approved by: \_\_\_\_\_

☐ Action

☒ Recommendation

OWNER	DEVELOPER / APPLICANT
Lee Muo S And Gon Mei Trustee 1361 Echo Valley Dr San Jose, CA 95120-5623	Rick Knauf Santa Clara Development 2185 The Alameda San Jose CA 95136
Wey Sonny S And Nancy C Trustee 5401 Country Club Parkway San Jose, CA 95138	
Kamali Ehteram 19291 Almaden Rd San Jose, Ca 95120-4207	
Martin And Mei Ling Ting 3a United Massion Shin Fai Terrace Hong Kong	
Amy Ting 270 Upland San Francisco CA 94127	
John P. Cryan 19211 Almaden Rd San Jose CA 95120	
<b>PUBLIC AGENCY COMMENTS RECEIVED</b>	<b>Completed by: DC</b>
Department of Public Works Attached	
Other Departments and Agencies n/a	
<b>GENERAL CORRESPONDENCE</b>	
n/a	
<b>ANALYSIS AND RECOMMENDATIONS</b>	

## BACKGROUND

The applicant, Santa Clara Development Company, on behalf of the owners of the subject parcels, are requesting a Planned Development Rezoning from an R-1-2 Residence district to an A (PD) Planned Development district to allow up to 25 single-family detached residential units on a 7.02 gross acre site. Surrounding development consists of single-family detached residential development on all sides with parcels ranging in size from 6,000 to 20,000 square feet. The project site was the subject of a General Plan Amendment approved in November 2003.

The project site is comprised of four parcels of varying sizes. The subject site is currently developed with eight (8) single-family residences and a number of small accessory structures. A restaurant also occupies ones of the subject parcels. The restaurant was formerly a single-family structure that was converted in the 1960's. Most of the structures on the site were developed in the County of Santa Clara between 1925 and 1940. The site has gentle, rolling topography with slope ranging to about six (6) percent. The site has a considerable amount of vegetation comprised primarily of non-native trees.

## **Project Description**

The project proposes up to 25 single-family detached residential units. Two lot configurations are proposed that would accommodate lots averaging about 12,000 square feet along Barnes Lane and Grimley Road. Slightly smaller lots averaging about 7,000 square feet are proposed within the project's interior. The units range in size from 3,568 to 4,199 square-feet. All of the units have two stories with attached 3-4 car garages.

## **ENVIRONMENTAL REVIEW**

The Director of Planning circulated a Mitigated Negative Declaration for public review on April 21, 2004. The primary issues that were addressed in the environmental review included the project's potential impacts on trees, potentially historic structures, and noise.

The project includes mitigation measures that will reduce any potentially significant project impacts to a less-than-significant level. The sections below discuss specific environmental issues in greater detail. A more comprehensive accounting of all environmental mitigation measures required as part of this project can be found in the project's Mitigated Negative Declaration (attached to this report). The full text of the Initial Study, including technical reports, is available online at: <http://www.ci.san-jose.ca.us/planning/sjplan/eir/MND2004.htm>

### Trees

A total of 122 trees are tentatively proposed to be removed, of which 30 are ordinance-size trees. Presently, one large Pine tree is proposed to be retained. Upon evaluation of a more detailed grading plan at the Planned Development Permit stage, staff will investigate the possible preservation of other large trees on the site to minimize the loss of these resources. The key reason many of these trees will most likely need to be removed is a result of required grading to ensure that the streets can be appropriately connected to each other and so that the drainage for individual lots effectively meet the City's grading standards. Modifications to the surrounding grade elevations (cutting or filling) will most likely be the highest contributing factor to the required removal of existing trees as opposed to the displacement of trees caused by the placement of new structures. See analysis section under "Grading" for more detail. Trees to be removed will be replaced at ratios consistent with normal City standards.

### Historic Resources

The existing project site includes eight (8) single-family houses, a commercial building (Quicksilver Kitchen Restaurant) which was converted from a single-family house in the 1960's, and several small accessory structures. An historic evaluation was prepared by Urban Programmers, an historic consultant hired by the developer. The report concluded that all of the existing structures are generally in poor condition. Further, the report stated that "With the relocations, shifting uses and alterations, the subject buildings do not sufficiently retain integrity of location, design, setting materials, workmanship, feeling or association that is required to demonstrate historic integrity".

The City's Historic Landmarks Commission establishes a point system to measure the level of historic significance of a structure. In the case of this project, the point ratings for the existing buildings ranged from 6 to 19.4 which constitutes a grade of "non-significant". In order for a

structure to be deemed a “structure of merit” or “contributing to a historic district” a total minimum of 33 points must be awarded.

### Noise

Noise mitigation will be provided in accordance with the recommendations identified in the noise report prepared by the project’s environmental consultant. Mitigation to address traffic noise impacts generated from Old Almaden Road on the proposed units will be included in the project. This will consist of the installation of windows with a minimum sound transmission class (STC) 26 rating in all of the residences on the project site. Mechanical ventilation (i.e. air conditioning) units will be installed to ensure a habitable environment in the event windows are closed for noise control. These measures will reduce interior noise levels in residences by 20 dBA or more to less than 45 L<sub>dn</sub>, a level that is considered satisfactory by the City’s General Plan.

Construction conditions/practices will be implemented to reduce noise impacts to the surrounding project area during all phases of construction. These include such practices as limiting the noise-generating activities at the construction site to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday and prohibition of construction on weekends in close proximity to adjacent residential uses.

## **GENERAL PLAN CONFORMANCE**

The proposed project with a density of 4.36 DU/AC is consistent with the San Jose 2020 General Plan Land Use/Transportation Diagram designation of Low Density Residential (5.0 DU/AC). The General Plan was amended in November 2003 from Very Low Density Residential (2 DU/AC) to Low Density Residential (5 DU/AC). During the General Plan Amendment process there were several neighborhood concerns and significant opposition to the density change. Staff and applicant have worked to fine-tune the project to better address many of the interface design concerns raised by the neighborhood (see analysis section for more information).

## **ANALYSIS**

The key issues analyzed as part of this project include; 1) site design, 2) grading, and 3) architecture.

### Site Design

#### *Street Layout*

The proposed project plans to utilize and expand upon the existing street network already in place. All 25 units proposed will front out onto new or existing public streets. Queensbridge Way presently has two existing disconnected segments, which will be connected as part of this project. A new public street will also be provided within the middle of the site between, and parallel to, Barnes Lanes and Grimley Road. This same street will extend as a cul-de-sac to the west to provide access to adjacent under-developed properties. Based on the General Plan land use designations already established, it is anticipated that approximately 4 to 6 additional housing units may eventually be constructed as part of other future developments and utilize this new cul-de-sac street.

The proposed street layout maximizes connections within the existing neighborhood, providing a good opportunity for vehicular/pedestrian access and internal circulation within the surrounding neighborhood. The City's General Plan Urban Design policies encourage street connectivity to enhance the sense of neighborhood and discourage the creation of isolated enclaves.

### *Lotting Pattern*

To a great extent, the existing street layout has predetermined much of the basic lot configurations. The location of the Queensbridge extension and the new street has divided the site into three major parts. To address some of the concerns raised by the neighborhood, the lots that front on to Barnes Lane and Grimley Road, which have the closest interface with adjacent developed properties, will maintain larger overall sizes (12,000 square feet on average) and wide frontages of up to 95 to 98 feet per lot. The lots within the project interior, which do not have direct interface with surrounding development, will be slightly smaller with an average lot size of approximately 7,000 square feet.

The project will have a side-on unit interface with Old Almaden Road, much like most of the newer surrounding development. This configuration will minimize the expanse of fences or soundwall facing the street and will avoid undesirable driveways and back-out maneuvers on to this relatively busier street.

### *Setbacks*

The building setbacks along Barnes Lane and Grimley Road were designed to meet the Zoning Ordinance requirements of the R-1-2 Residence zoning district which are compatible with the existing adjacent homes. This includes 30-foot front setbacks. The setbacks for the 7,000 square foot lots will be commensurate with the standard setback of the R-1-5 Residence zoning district.

### Grading.

The site has modest slopes averaging about 5 to 6 percent. There is a 20-foot grade elevation difference between the high point of the site at the intersection of Old Almaden Road/Grimley Road and the low point near the intersection of Barnes Lane/Queensbridge Way. Since the existing street location significantly predetermined the necessary grading and connection points for the new streets, alteration to the existing grade elevations to accommodate new individual lots is necessary. This is not an unusual circumstance when preparing sloped properties for new development. In some cases cutting or filling of soil which alters the existing grade elevation as much as three (3) feet is necessary in order for individual lots to drain properly. This is within the realm of acceptable standards as identified in the grading policies of the City's Residential Design Guidelines.

Incremental grading terracing was incorporated into the design of the project to help minimize the height of retaining walls and grade differentials (pad heights) between adjacent lots.

As indicated earlier in this report with respect to tree preservation, when cutting or filling modifies the grade next to, or within the drip line of trees, the long term survival rate of such trees is greatly impacted. As more specific and detailed grading plans are developed at the Planned Development Permit stage, staff will seriously investigate the potential for preserving more large existing trees.

## Architecture.

The architecture of the proposed project is closest in design to a country/rural style. Even though the several units will utilize the same floor plan, unique design features are incorporated into the architecture to give an individual character to each residence. The overall building mass is well articulated and is designed to be compatible with the surrounding residences.

Each unit has a three-car garage with the exception of Plan 4 that could accommodate a four-car garage. All the plans with the exception of Plan 3 are designed to accommodate a tandem-parking component. This has beneficial design implications in that the amount of driveway/hardscape is minimized, thereby providing greater landscape planting opportunities. Additionally, the garage door façades are not as dominant.

## **PUBLIC OUTREACH**

Notices for the public hearing were distributed to the owners and tenants of all properties located within 500 feet of the project site. Staff has been available to discuss the project with members of the public. The Planning Commission Agenda, which is posted on the City of San Jose's website includes a copy of the Staff report for this project.

Several community meetings were held at the General Plan Amendment Stage. Since the Planned Development Rezoning was also being processed concurrently a separate community meeting for the rezoning was not held. Conceptual site plans and architectural concepts were shared with the public at the meetings.

## **RECOMMENDATION**

Planning staff recommends that the Planning Commission approve the subject Planned Development rezoning for the following reasons:

1. The proposed project conforms to the General Plan Land Use/Transportation Diagram designation of Low Density Residential (5 DU/AC).
2. The proposed project is compatible with the surrounding neighborhood.
3. The proposed rezoning with mitigation included in the project, the proposal will be in conformance with CEQA.

**NOTE:** Development standards and other notes are included on a separate 8 ½ "x 11" attachment. These notes will be included on the Land Use Plan (General Development Plan) for this project prior to final approval of the project by the City Council.

## **Attachments**

Public Works Memorandum  
Mitigated Negative Declaration  
Reduced Plan Set